

## PART III.

## SANITARY BOARDS.

19. (1) There shall be a Sanitary Board in every village to which this Constitution Part is extended, or one such board for a group of two or more such villages, of Sanitary Boards. as <sup>1</sup>[the Collector] may direct. Each such board shall consist of such number of persons appointed by the Collector as <sup>2</sup>[he may direct], the said persons being residents within or near to the area which is to be subject to the board's authority and having property therein, and shall ordinarily include the police patels. For the purpose of aiding him in his choice, the Collector may in his discretion obtain the nomination or election of qualified persons, from amongst whom he will select all or some of the members, according to such mode and local distribution as shall seem expedient.

(2) Each meeting of such board shall be presided over by the Magistrate of highest rank present thereat who is a member, or, in the absence of any such Magistrate, by such member as the Collector, <sup>3</sup>[may appoint] to be the president of the board. In the absence of any Magistrate and of the president, a meeting of the board shall be presided over by such one of the members present as may be chosen by the meeting to be chairman for the occasion.

(3) The president and members of the board shall hold office for the prescribed period.

20. The Sanitary Board may from time to time make rules, with the Sanitary Board may approval of the Collector, and, save as hereinafter provided, shall discharge make rules. functions and exercise authority for the area subject to its authority in respect of the same matters, in the same manner, and subject to like provisions, restrictions and conditions as are hereinbefore enacted in the case of a Sanitary Committee.

21. (1) The Collector may <sup>4</sup>\* \* \* from time to time appoint Appointment of Sanitary Inspector for any area or any part of the area subject to Inspector and other officers. the authority of a sanitary board, and also such other subordinates as shall appear necessary, and determine the amount of salary to be paid to each of such officers. He may also dismiss or suspend the said officers.

(2) Such Sanitary Inspector may be a person employed by the Taluqá or District Local Board having authority at the place. He may be employed by or on behalf of two or more Sanitary Boards.

<sup>1</sup> These words were substituted for the word "Government" by the Bombay Decentralization Act, 1915 (Bom. Act 3 of 1915), Vol. V of this Code.

<sup>2</sup> These words were substituted for the words "Government directs" by *ibid.*

<sup>3</sup> These words were substituted for the words "subject to the orders of Government, appoints" by *ibid.*

<sup>4</sup> The words "subject to the orders of Government" were omitted by *ibid.*

Duties of  
the Sanitary  
Inspector.

**22.** (1) The Sanitary Inspector shall take measures for preventing breaches of the rules in force in the area for which he is appointed, by, from time to time—

- (a) posting up and otherwise publishing a general admonition respecting the observance of the said rules; or
- (b) admonishing any person whom he finds offending against any of the said rules; or
- (c) summoning to appear before the Sanitary Board any person who, from his own observation or from reports made to him by his subordinates, he has reason to think should be prosecuted for offending against any of the said rules.

(2) The Sanitary Inspector shall make such reports and be in such relation to the Sanitary Commissioner, consistent with the duties and obligations imposed on him by this Act or arising out of his position as a servant of a Local or Sanitary Board, as Government may prescribe.

Prosecutions  
at instance  
of the Board  
for breaches  
of rules.

**23.** The Board may also by notice in writing require the attendance before the Board of any person who is accused of having committed, or who, to the knowledge of the Board, has apparently committed, a breach of any rule made by the Board under section 20.

Cognizance  
by the Board  
of offences  
against the  
rules.

**24.** (1) All offences against the rules made by the Board under section 20 shall be cognizable by the Board, who, for the purpose of exercising this jurisdiction, shall assemble, as often as shall be necessary or as the Magistrate of the district shall direct, at some convenient place within or near to the area subject to its authority.

(2) The provisions of sub-section (3) of section 14 and of section 15 shall apply, as nearly as may be, to the hearing and decision of cases under this section by a Sanitary Board and to appeals by persons convicted by such Board.

Sanitary  
Board's  
orders by  
whom to be  
carried out.

**25.** (1) The orders of every Sanitary Board shall be carried out and its orders and proceedings shall be recorded in the prescribed manner and preserved by such member of the Board or by such officer of the Board or by such other officer as the Collector may from time to time nominate in this behalf.

(2) The person authorized in this behalf shall be bound to keep a true record of the Board's proceedings and orders, under his signature, and truly to prepare all summonses, notices and orders issuing by direction of the Board or of any member thereof in accordance with this Act or with rules made under section 20.

**26.** A Sanitary Board may, with the approval of the Collector, contract with any person—

Sanitary Board may enter into certain contracts.

(a) for the daily surface-cleansing of the streets and public spaces within the area or any portion of the area subject to its authority, so far as the same cannot be effected by means of the village-servants, if any, whose services are placed at its command under section 42, or

(b) for the removal from the said area of sweepings, dust, ashes, refuse, rubbish, carcasses of dead animals and any offensive or noxious matter.

**27.** Every Sanitary Board may, with the approval of the Collector, cause to be constructed such works and buildings as shall be necessary for providing for the area subject to its authority or any part thereof—

Works and buildings which may be provided by a Sanitary Board.

(a) an adequate supply of water ;

(b) proper and convenient places for the temporary deposit or final disposal of sweepings, dust, ashes, refuse, rubbish, carcasses of dead animals and other offensive or noxious matter ;

(c) means for conveying away or removing the several matters and things specified in clause (b).

**28.** The inhabitants of the area or any part of the area subject to the authority of a Sanitary Board may by voluntary subscription raise any sum of money for any purpose for which the Board may incur expenditure, and such sum may be paid to the Mámlatdár or other officer appointed by the Collector under section 30, and shall by him be placed to the credit of the Board for expenditure within the area in which and on the purpose for which the subscription was raised.

Voluntary subscription may be raised to meet a Sanitary Board's expenditure.

**29.** Every Sanitary Board shall be bound to provide for, or authorize the expenditure necessary for—

Purposes for which expenditure is to be incurred by Sanitary Board.

(a) paying the salaries of the Sanitary Inspector and other officers, if any, appointed under section 21 ; and

(b) providing stationery and other requisites for the use of the Board and of the said Sanitary Inspector and other officers, if any ; and

(c) fulfilling any contract entered into by it under section 26 ; and

(d) constructing necessary works and buildings under section 27.

**30.** (1) A debit and credit account shall be kept by the Mámlatdár or other officer appointed by the Collector in that behalf in the name of each Sanitary Board. To the debit of such account shall be placed all expenditure authorizedly incurred under section 29. To its credit shall be placed all sums

Sanitary Board's ways and means.

raised by voluntary subscription under section 28, all sums realized from any other source for meeting the Board's expenditure and the net proceeds of any rate assessed as hereinafter provided.

(2) For the purpose of raising money for expenditure by a Sanitary Board under this Act, the Collector may, subject to the same limit as is by section 18 (2) provided in respect of rates charged under section 18 (1), from time to time, in conference with such Board, charge and assess a rate on the inhabitants of the area or of any part of the area subject to the Board's authority.

(3) The burden of any rate charged under sub-section (2) shall be distributed over the several parts of the area subject to the Board's authority in such proportions as the Collector, in conference with the Board, directs, or, if the Collector, in conference with the Board, so determines, shall be placed wholly on one or more such parts.

## PART IV.

### GENERAL PROVISIONS.

Certain Government officers to advise Sanitary Committees and Boards.

**31.** The Executive Engineer of the district and any subordinate of the Executive Engineer, of the Sanitary Commissioner or of a Local Board, having authority at the place whom the Collector may appoint generally or specially in this behalf shall have, in relation to a Sanitary Committee or Board, such rights and duties as are assigned to certain officers in relation to Local Boards by the first paragraph of section 33 of <sup>1</sup> Bombay Act I of 1884.

Removal from office of members, etc., of Sanitary Committees and Boards.

**32.** The Collector may, after recording his reasons for the same, remove from office any member or chairman of a Sanitary Committee and with the sanction of <sup>2</sup>[the Commissioner], any member, or president of a Sanitary Board, who appears to be incompetent or who has been guilty of any misconduct or neglect of duty which appears to render his removal expedient.

Filling up of vacancies.

**33.** (1) Whenever for any reason a vacancy occurs or is about to occur in the office of a member or chairman of a Sanitary Committee, or of a member or president of a Sanitary Board, the Collector shall without delay appoint a person to fill such vacancy.

(2) During any such vacancy the continuing members of a Sanitary Committee or Board may act as if no vacancy had occurred.

Questions to be decided by majorities.

**34.** Every question which comes before a Sanitary Committee or Board for decision shall be decided by a majority of votes of the members present

<sup>1</sup> Vol. II of this Code.

<sup>2</sup> These words were substituted for the word "Government" by the Bombay Decentralization Act, 1915 (Bom. Act 3 of 1915), Vol. V of this Code: